

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

James Richardson,

Petitioner,

v.

Charles L. Ryan, et al.,

Respondents.

No. CV15-1210 PHX DGC

ORDER

Petitioner James Richardson has filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Doc. 1. United States Magistrate John Z. Boyle has issued a report and recommendation (“R&R”) recommending that the petition be denied and dismissed without prejudice. Doc. 16. No objection has been filed, which relieves the Court of its obligation to review the R&R. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). The Court will accept the R&R, deny the petition, and dismiss the petition without prejudice.

IT IS ORDERED:

1. The R&R (Doc. 16) is **accepted**.
2. The petition for writ of habeas corpus (Doc. 1) is **denied and dismissed without prejudice**.
3. A certificate of appealability and leave to proceed *in forma pauperis* on appeal are **denied**.

Dated this 21st day of December, 2015.

Daniel G. Campbell

David G. Campbell
United States District Judge